

REVISED May 2006

CRIMINAL CASES



Administrative Procedures

**FOR FILING, SIGNING, AND VERIFYING
DOCUMENTS BY ELECTRONIC MEANS**

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA**

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MIDDLE DISTRICT OF GEORGIA**

**ADMINISTRATIVE PROCEDURES FOR FILING, SIGNING, AND VERIFYING
DOCUMENTS BY ELECTRONIC MEANS IN CRIMINAL CASES**

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ADMINISTRATIVE PROCEDURES FOR FILING, SIGNING, AND VERIFYING DOCUMENTS BY ELECTRONIC MEANS IN CRIMINAL CASES

I. THE CASE MANAGEMENT/ELECTRONIC FILES SYSTEM (CM/ECF)

A. AUTHORIZATION FOR ELECTRONIC FILING

Standing Order No. 04-01 authorizes electronic filing in conjunction with Federal Rule of Criminal Procedure 57. Pursuant to Standing Order No. 04-01, the following procedures govern electronic filing in this District unless, due to extraordinary circumstances in a particular case, a judicial officer determines that these policies and procedures should be modified in the interest of justice.

B. DEFINITIONS AND INSTRUCTIONS

The following definitions and instructions shall apply to these Procedures for Electronic Filing:

- ▶ The term “**document**” shall include pleadings, motions, exhibits, declarations, affidavits, memoranda, papers, orders, notices, correspondence, and any other filing by or to the Court.
- ▶ The term “**party**” shall include counsel of record and a *pro se* litigant.
- ▶ The term “**CM/ECF**” refers to the court’s Case Management/Electronic Case Files system.
- ▶ The term “**CM/ECF Web site**” refers to the official Internet site of the Middle District of Georgia at <http://ecf-live.gamd.uscourts.gov>
- ▶ A “**CM/ECF User**” is a person who is registered to use the CM/ECF site.
- ▶ “**Electronic filing**” means uploading a document directly from the registered user’s computer using the court’s Internet-based System to file that document in the court’s case file. Sending a document to the court via e-mail does not constitute “electronic filing.”
- ▶ “**Conventional Filing**” means filing a paper document with the court.
- ▶ The “**E-Mail Address of Record**” is the internet e-mail address of each party to the case as maintained by the Clerk.
- ▶ A “**Notice of Electronic Filing**” is generated automatically by the CM/ECF system upon completion of an electronic filing. The Notice of Electronic Filing, when e-mailed to the e-mail addresses of record in the case, acts as the proof of service.
- ▶ The term “**PDF**” refers to Portable Document Format. A PDF document allows anyone to open the converted document across a broad range of hardware and software, with layout, format, links, and images intact. For information on PDF, users may visit the websites of PDF vendors, such as <http://www.adobe.com/products/acrobat> or <http://www.fineprint.com>.

- ▶ Procedures and instructions for using the court's CM/ECF system consistent with these policies may be found on the CM/ECF Web site.
- ▶ All hours stated shall be Eastern Time.

C. TECHNICAL SPECIFICATIONS

While the system requirements may be set forth more completely in a user's manual or other court publication, it is expected that the following hardware and software will be needed to electronically file, view and retrieve documents in the electronic filing system. Other specifications are also indicated for optimum performance.

- ▶ A pentium computer running Windows 95 or a Macintosh operating system (Minimum - 100MHz and 256 MB RAM; Recommended - 100 MHz and 512 MB RAM)
- ▶ Ability to convert documents from a word processor such as WordPerfect or Word to portable document format (PDF)
- ▶ CM/ECF has been tested and works correctly (at a minimum) with browsers Netscape Version 4.5 or higher and Internet Explorer 5.5 or higher. However, Netscape Version 7 or higher or Internet Explorer Version 6 is recommended for optimum performance. **(Please note that Netscape Version 6 is not recommended for use with CM/ECF).**
- ▶ High speed internet access (56K or higher recommended).
- ▶ Access to a scanner if non-computerized documents need to be imaged
- ▶ When scanning documents to be subsequently filed electronically, filing parties should make certain their **scanners are configured for 300 dpi and black and white** rather than color scanning. The filing party is responsible for the legibility of the scanned document. If for any reason a document cannot be easily read after scanning, the filing party should not electronically file the document. Instead, the filing party must conventionally file it with the Clerk's Office and include a Notice of Manual Filing (see sample Form B) explaining the reason for conventional filing.

Because large documents (more than two megabytes) may not upload properly to the CM/ECF system or download within a reasonable amount of time for users with a 56K modem, documents of this size will be rejected. To be accepted by the system, they will need to be segmented into individual files no larger than two megabytes each and will need to be included as attachments to the pleading being filed. (As an example, to check file size for

a WordPerfect file, you would open the file and at the top menu bar select “View”; then select “Details”. The “Details” feature will display the actual file size for all files in the directory in which the particular file you are working with is located.)

D. SYSTEM AVAILABILITY

CM/ECF is designed to provide service 24 hours a day, 7 days per week. **However, parties are encouraged to file documents in advance of filing deadlines and during normal business hours.** For assistance with questions regarding the electronic filing system or the registration process, users may contact the Clerk’s Office in either of two ways: (1) The Help Desk will be available at 1-866-862-5465, Monday through Friday from 8:30 AM to 5:00 PM. After hours, users will be able to record a voice mail message and the call will be returned the next business day; or, (2) Questions may be e-mailed to the court from the court internet site at www.gamd.uscourts.gov. Select “CM/ECF” on the homepage, then select “Contact Us” from the CM/ECF page. A telephone number should be provided in the e-mail in the event the court needs to contact the user by phone to resolve the problem.

If a party is unable to file electronically and as a result, may miss a filing deadline, documents should be filed conventionally with the Clerk’s Office, or if after business hours, court drop boxes should be used. Drop boxes are located on the exterior of the building at each divisional office (with the exception of Thomasville; Thomasville filings can be placed in the drop box in any other division). If filing under these circumstances, a Notice of Manual Filing (see sample Form C) should be conventionally filed along with the document to indicate why filing could not be accomplished electronically.

E. SELECTION OF CASES

Unless otherwise permitted by these administrative procedures or unless otherwise authorized by the assigned judge, all documents¹ in criminal cases submitted for filing in this district after October 6, 2004, **with the exception of documents in cases filed prior to January 1, 2004 (see section II.A.6. of this manual)**, shall be filed electronically or shall be scanned and uploaded to the CM/ECF system. Documents may also be submitted for filing to the Clerk’s Office on removable media (i.e. 3.5" diskette or CD) as PDF (“Portable Document Format”) files.

1. Parties proceeding *pro se*, however, shall not file electronically.

¹The requirement that “all documents” be filed electronically includes briefs, transcripts of proceedings, and deposition transcripts used in support of motions or at trial.

2. A case filed under seal will not be made available to the public in any form unless the assigned judge orders the case unsealed.
3. Juvenile criminal matters will be sealed at the time of filing and will therefore be unavailable to the public in any form unless a hearing is held after filing and the Court rules that the juvenile shall be tried as an adult.
4. An attorney may apply to the assigned judge for permission to file documents conventionally. However, even if the assigned judge initially grants an attorney permission to file documents conventionally, such permission may be withdrawn during the pendency of a case and require the attorney to file documents electronically using CM/ECF.
- 5.. The Clerk's Office or any judge of this court may deviate from these procedures in specific cases, without prior notice, if deemed appropriate in the exercise of discretion, considering the need for the just, speedy, and inexpensive determination of matters pending before the court. The court may also amend these procedures at any time without prior notice.

F. REGISTRATION

1. Each attorney filing electronically must complete an Attorney/Participant Registration Form which is available on the court internet site at www.gamd.uscourts.gov (select "CM/ECF" link); the form should be completed on-line and submitted directly to the court. An e-mail will be sent within two business days to advise the registering participant of his/her login and password. The court will issue logins and passwords only to attorneys in good standing. To be in good standing, an attorney must meet the requirements in Local Rule 83.1.1(c), 83.1.2 (c), and 83.2.
2. Newly admitted attorneys will be **required** as part of the admission process to pay admission fees electronically in CM/ECF immediately upon receipt of the user id and password using one of the debit/credit cards specified in section II.A.3. below. Specific instructions for paying the fee are provided at the time attorneys receive notification they have been admitted and are also included on the Attorney Admissions page of the court internet site.
3. Once registered, an attorney may withdraw from participation in filing through CM/ECF by providing the Clerk's Office with a Notice of Withdrawal. Such notice must be in writing, and mailed or delivered to United States District Court, P.O. Box 128, 475 Mulberry Street, Macon, Georgia, 31202. Upon receipt, the Clerk's Office will immediately cancel the attorney's password and delete the attorney's name from any applicable

electronic service list. An attorney's withdrawal from participation shall not be construed as authorization to file cases or documents conventionally.

4. After registering, attorneys may change their passwords at any time. It is important to note that at any time an attorney discovers the security of an existing password has been compromised, the attorney should immediately change his or her password in the CM/ECF system in order to preserve the integrity of the signature on documents being filed. In addition, if the attorney feels there has been a compromise, he/she must immediately notify the Clerk's Office by telephone of the change in password so the court is aware there may have been possible unauthorized use of the system.
4. At any time an attorney registered to electronically file documents through CM/ECF has a change in e-mail address, mailing address, telephone, or fax number, he/she will be responsible for making the change in CM/ECF. However, he/she must file a notice of address change with the court and serve it on other parties to the case. For instructions on how to change this information in CM/ECF, refer to Appendix A or the CM/ECF User's Manual.
5. **A PACER login is required, in addition to, the user ID and password issued by the court for CM/ECF.** To register for PACER, a user must complete the online form or submit a registration form, available on the PACER web site (<http://pacer.psc.uscourts.gov>).

G. USER ID AND PASSWORD

Each attorney admitted to practice in the Middle District of Georgia shall be entitled to one user id and password from the District Court. The user id and password permits the attorney to participate in the electronic retrieval and filing of pleadings and other papers.

1. No attorney shall knowingly permit or cause to permit his or her password to be utilized by anyone other than an authorized employee of his or her office.
2. Once registered, the attorney shall be responsible for all documents filed with his or her password.
3. Registration for a user id and password is governed by Paragraph I(F).
4. An attorney admitted *pro hac vice* must register for a user id and password in accordance with these Administrative Procedures.

II. ELECTRONIC FILING AND SERVICE OF DOCUMENTS

A. FILING

1. The following documents in criminal cases shall be filed conventionally with the Clerk's Office who will scan and file the documents electronically:

Criminal Complaint
Indictment
Felony Information or Misdemeanor Information
Superseding Information or Superseding Indictment
Plea Sheet
Plea Agreement
Appearance Bond

The Clerk's Office will retain the original of these documents on file.

2. All other documents in criminal cases including motions (with the exception of Habeas Corpus cases filed under 28 U.S.C. §2255 - see section III of this manual), applications, briefs, memoranda of law, correspondence, and any other documents other than those listed in 1. above, shall be electronically filed by registered attorneys or participants including court reporters (see 6 below for additional information regarding court reporters). The attorney/filer should maintain the originals of all verified documents that are scanned.

E-mailing a document to the Clerk's Office or to the assigned judge shall not constitute "filing" of the document. A document shall not be considered filed for purposes of the Federal Rules of Criminal Procedure until the filing party receives a system-generated "Notice of Electronic Filing" described in II(B)1 of these procedures.

3. **On-line payment of fees by credit or debit card is required in order to complete certain e-filing transactions.** Fees associated with filing of qualifying documents are payable via one of the following credit cards:

Visa	Master Card	American Express
Discover	Diner's Club	

When electronically filing any of the following documents, a credit card payment screen will appear indicating the amount of the fee to be paid:

Notice of Appeal-Final Judgment of Conviction
Notice of Appeal-Interlocutory

Notice of Appeal-Other
Appeal of Magistrate Judge Decision to the District Court

If the credit card transaction is invalid for any reason or if the credit card processing function in CM/ECF is experiencing problems, the e-filing transaction will not complete. If the document must be filed on the same date the transaction fails, the paper document(s) will need to be delivered to the nearest Clerk's Office between 8:30 am and 5:00 pm or deposited in the drop box outside the building if after normal business hours to ensure timely filing.

3. A document will be deemed timely filed if filed by 11:59 PM on the date of the deadline; however, the assigned judge may order a document to be filed by a time certain. Because filing of a large document initiated close to the deadline (e.g. at 11:59 PM or a time certain) may not be completely processed in CM/ECF by the deadline, the deadline may not be met. A document filed electronically is deemed filed at the date and time as stated on the Notice of Electronic Filing received from the court.
4. If filing a document requires leave of the court, the attorney shall attach the proposed document as an exhibit to the motion according to the procedures in V. If the court grants the motion, the Clerk's Office may e-file the pleading or the order may direct the attorney to file electronically an exact duplicate of the document with the court.
5. Attachments and exhibits larger than two megabytes may be filed electronically in separate two-megabyte segments or may be submitted, bound, in conventional format. If filed conventionally, the filing party must serve conventional copies on all other parties to the case.
6. The Clerk's Office will not accept paper filings in criminal cases filed on or after January 1, 2004, except as otherwise provided in these procedures. The official court record for these cases is the electronic file maintained in CM/ECF; however, the record does include any documents or exhibits that are conventionally filed in accordance with these procedures. For criminal cases filed before January 1, 2004, and still pending on or after October 6, 2004, or closed thereafter, the paper file will constitute the official record. All documents in these cases should continue to be filed conventionally.
7. As registered users of CM/ECF, staff court reporters must file electronically in CM/ECF certified transcripts of proceedings or submit to the Clerk's Office for uploading to CM/ECF a 3.5" diskette or a CD containing the certified transcript of the proceedings in PDF format. Contract court

reporters must submit either a 3.5 “diskette or a CD containing the certified transcript of the proceedings in PDF format.

8. For all criminal filings electronic or conventional, the style of the case number on the face of documents will be as follows:

[division #]:[2-digit year]-cr-[case #]-[judge initials]
(Example: 5:04-cr-100-DF)

Division numbers are:

Albany	-	1
Athens	-	3
Columbus	-	4
Macon	-	5
Thomasville	-	6
Valdosta	-	7

Access to individual cases in CM/ECF will require that you enter case number information properly.

B. SERVICE

1. Whenever a pleading or other paper is filed electronically in accordance with these procedures, CM/ECF system will generate a “Notice of Electronic Filing” to the parties and counsel of record. The system generated e-mailing of the “Notice of Electronic Filing” shall be the equivalent of service of the pleading or other paper by first class mail, postage prepaid.
2. A certificate of service on all parties entitled to service or notice is still required when a party files a document electronically. The certificate must state the manner in which service or notice was accomplished on each party so entitled. Sample language for this form is attached as Form A, Certificate of Service.
3. A party who is not a registered participant in CM/ECF is entitled to a paper copy of any electronically filed pleading, document, or order. The filing party must therefore provide the non-registered party with the pleading, document, or order according to the Federal Rules of Criminal Procedure. When mailing paper copies of documents that have been electronically filed, the filing party may include the “Notice of Electronic Filing” to provide the recipient with proof of the filing.

4. The three-day rule of Federal Rule of Criminal Procedure 45(c) for service by mail shall also apply to service by electronic means.²
5. If a filer must bring a document to the Clerk's Office for scanning and filing in CM/ECF, he/she must serve conventional copies on all non-registered parties to the case and should expect some delay in the uploading and subsequent electronic noticing of the document.

C. SIGNATURES AND AFFIDAVITS

1. A pleading or other document requiring an attorney's signature shall be signed in accordance with the following example, whether filed electronically or submitted on disk to the Clerk's Office: "s/ (attorney name) ." The correct format for an attorney signature is as follows:

s/Judith Attorney
Bar Number: 12345
Attorney for (Plaintiff/Defendant)
ABC Law Firm
123 South Street
Macon, Georgia 31201
Telephone: (478) 752-3497
Fax: (478) 752-3496
E-mail: judith_attorney@law.com

2. Documents other than those listed in II.A.1. of this manual which **must contain original signatures, those which require either verification or an unsworn declaration under any rule or statute, stipulations or other jointly executed documents shall be filed electronically with originally executed copies maintained by the filer.** The pleading or other document electronically filed shall indicate all necessary signatures using one of two methods: (a) in the format shown in 1. above (e.g., "s/Jane Doe", etc.), or (b) the original document with all signatures may be scanned and electronically filed in CM/ECF. The filing party or attorney shall retain the hard copy of the document containing the original signatures for two (2) years after final resolution of the action, including final disposition of all appeals.

²Attorneys should be aware that the response due date, which appears when either electronically filing a motion or querying deadlines, is for court use only and should not be relied upon as an accurate computation of the response due date.

3. For any document filed electronically that contains two or more signatures, a certification by the attorney submitting the electronic filing must appear on the signature page to state the following:

“I certify that the originally executed document contains the signatures of all filers indicated herein and therefore represents consent for filing of this document.”

D. ORDERS

1. The assigned judge, or his designee, shall electronically file all signed orders. Any order signed electronically has the same force and effect as if the judge had affixed the judge’s signature to a paper copy of the order and it had been entered on the docket conventionally.
2. When mailing paper copies of an electronically filed order to a party who is not a registered participant in the CM/ECF system, the Clerk’s Office will include the Notice of Electronic Filing to provide the non-participant with proof of the filing.
3. The assigned judge, or his designee, may grant routine motions by a text-only entry upon the docket. In such cases, no PDF document will issue with the docket entry and the text-only entry shall constitute the court’s only order on the matter. CM/ECF will generate a “Notice of Electronic Filing” as described in II.B.1. of these procedures.

E. PROPOSED DOCUMENTS

1. Proposed Orders - A proposed order requiring leave of court should be filed electronically in PDF format and must be attached as an exhibit to a motion. If approved and signed by the judge, the order will be electronically filed in CM/ECF by the court and notice of such will be provided to all counsel of record through the Notice of Electronic Filing .
2. Other Proposed Documents - Proposed documents other than proposed orders shall be filed electronically in PDF format and must be attached as an exhibit/attachment to a motion.

F. TITLE OF DOCKET ENTRIES

The party electronically filing a pleading or other document shall be responsible for designating an appropriate docket entry title for the document by using one of the docket event categories prescribed by the court.³

G. CORRECTING DOCKET ENTRIES

1. Once a document is filed electronically and becomes part of the case docket, corrections to the docket are made only by the Clerk's Office. The CM/ECF system will not permit the filing party to make changes to the document(s) or docket entry filed in error once the transaction has been accepted and the Notice of Electronic filing has displayed.
2. A document incorrectly filed in a case may be the result of posting the wrong PDF file to a docket entry, selecting the wrong document type from the menu, or entering the wrong case number and failing to realize the error before the transaction is completed. **The filing party should not attempt to re-file the document unless at the end of the filing deadline.**
3. As soon as possible after an error is discovered, the filing party should contact the Clerk's Office with the case number and document number for which the correction is being requested. If appropriate, the court will make an entry indicating that the document was filed in error. The filing party will be advised if the document needs to be re-filed.

I. TECHNICAL FAILURES

1. The Clerk's Office shall deem the Middle District of Georgia CM/ECF web site to be subject to a technical failure on a given day if the site is unable to accept filings. Known systems outages will be posted on the web site, if possible. If you are unable to file electronically, refer to Section I.D. of this manual for instructions.
2. Problems on the filer's end, such as phone line problems, problems with the filer's Internet Service Provider (ISP), or hardware/software problems, will not excuse an untimely filing. A filer who cannot file a document electronically because of a problem on the filer's end must file the document conventionally or contact the Clerk's Office for permission to file the document provisionally via fax. If the filer provisionally files a document, the

³Readers may view the "CM/ECF Criminal Menu for Attorneys" on the court's web site, <http://www.gamd.uscourts.gov/cmecf/index.html>.

filer then must conventionally or electronically file the document within twenty-four hours after faxing it.

J. PRIVACY

1. In General

To address the privacy concerns created by Internet access, you should not include certain types of sensitive information in any document filed with the court unless such inclusion is necessary and relevant to the case. You must remember that any personal information not otherwise protected will be made available over the Internet via CM/ECF. If sensitive information must be included, the following personal data identifiers **must be redacted** from the document, whether it is filed traditionally or electronically, unless otherwise ordered by the Court:

- (a) **Social Security numbers.** If an individual's social security number must be included in a document, only the last four digits of that number should be used.
- (b) **Names of minor children.** If the involvement of a minor child must be mentioned, only the initials of that child should be used.
- (c) **Dates of birth.** If an individual's date of birth must be included in a document, only the year should be used.
- (d) **Financial account numbers.** If financial account numbers are relevant, only the last four digits of these numbers should be used.
- (e) **Home addresses.** If a home address must be included, only the city and state should be listed.

In compliance with the E-Government Act of 2002, a party wishing to file a document containing the personal data identifiers specified above may file conventionally an un-redacted document under seal. This document will be retained by the court as part of the record. The court will, however, still require a party to electronically file a redacted copy for the public file.

In addition, exercise caution when filing documents that contain the following:

- (a) Personal identifying numbers, such as driver's license number;
- (b) Medical records, including treatment and diagnosis records;
- (c) Employment history;
- (d) Proprietary or trade secret information;
- (e) Information regarding an individual's cooperation with the Government;
- (f) Information regarding the victim of any criminal activity;
- (g) National security information; and
- (h) Sensitive security information as described in 49 U.S.C. §114(s).

Counsel is strongly urged to share this information with all clients so that an informed decision about the inclusion, redaction and/or exclusion of certain materials may be made. It is the **sole responsibility of counsel and the parties** to ensure redaction of personal identifiers; the clerk **will not** review each pleading for redaction.

2. Transcript Redaction

It is the responsibility of attorneys involved in a case to request redaction of personal identifiers or other sensitive information that may be contained in the text of a transcript. As such, original transcripts filed by court reporters will not initially be electronically available to the public. However, if redaction is not requested by an attorney within five (5) days of the court reporter's filing of the transcript, it will be made electronically available to the public after that time. If an attorney(s) does request redaction before this period of time expires, the original transcript will continue to be electronically unavailable to the public and the redacted version, when filed by the court reporter, will be electronically available. Specific information and instructions regarding redaction of transcripts is contained in the memorandum [Policy on Electronic Availability of Transcripts of Court Proceedings](#).

III. PROCEDURES FOR FILING OF HABEAS CORPUS CASES (28 U.S.C §2255)

Unless filing as a *pro se* litigant the following procedures will apply. *Pro se* litigants should

refer to section IV.B. of this manual for instructions.

Motions seeking relief under 28 U.S.C. §2255 shall be filed electronically. Filing shall be in accordance with provisions of Rule 3 of the Rules Governing Section 2255 Proceedings for the United States District Courts. There shall be no service unless and until ordered by a judge of the court following preliminary consideration in accordance with Rule 4. Service shall be made conventionally in the manner provided for in Rule 4. Thereafter, absent a showing of good cause, all correspondence, documents, notices and orders filed in such cases shall be filed and noticed electronically, except as noted below:

- A. Transcripts and exhibits normally filed in such cases with the Answer/Response shall be conventionally filed and served since scanning such transcripts and exhibits, as well as filing or retrieving them electronically, is impractical at this time. Because these items will not be scanned or otherwise placed into CM/ECF, the Clerk's Office will make an entry on the docket stating they are available in paper format in the Clerk's Office.
- B. All other documents in the case, including correspondence, briefs, motions, orders, and such other documents as the court may require and direct, shall be filed and served electronically unless the court otherwise orders.

IV. CONVENTIONAL FILING OF DOCUMENTS

The following procedures govern documents filed conventionally. The court, upon application, may also authorize conventional filing of other documents otherwise subject to these procedures.

A. DOCUMENTS TO BE FILED UNDER SEAL

All motions or applications to file documents under seal along with a proposed order and the document(s) to be sealed should be presented to the Clerk's Office in conventional format. If the motion or application is granted, the assigned judge, or his designee, will enter electronically the order authorizing the filing of the documents under seal and the documents will be returned to the Clerk's Office for conventional filing under seal.

An exception to this rule is filing of an *ex parte* motion. Since these motions do not require permission from the court before filing, they should be filed electronically using the Ex Parte relief under the Motions category to ensure the motion being filed is a private (confidential) entry in CM/ECF. As a private entry, both the docket entry and the document can be seen only by the Court and no Notice of Electronic Filing is sent after the docket entry is completed. All *ex parte* motions should be clearly labeled as such in the title of the document.

B. TRANSCRIPT INFORMATION FORM

Until further notice, the Transcript Information Form will need to be filed conventionally.

C. FILINGS BY *PRO SE* LITIGANTS

Pro se litigants shall file paper originals of all pleadings, motions, affidavits, briefs, and other documents which must be signed or which require either verification or an unsworn declaration under any rule or statute. The Clerk's Office will scan original documents in these cases, file them in CM/ECF, and retain the paper documents.

D. SERVICE OF CONVENTIONAL OR 3.5 INCH FLOPPY/CD FILINGS

Documents which are filed conventionally or on 3.5 inch floppy disk or CD, rather than electronically, shall be served on those parties entitled to notice in accordance with the Federal Rules of Criminal Procedure except as otherwise provided by order of the Court.

E. RETENTION OF ORIGINALS OF DOCUMENTS REQUIRING SCANNING

Originals of documents to be filed electronically that require scanning must be retained by the filing party and made available, upon request, to the court and other parties for a period of two years following the conclusion of all appeals.

V. EXHIBITS

A. ELECTRONIC FILING

1. A filing party should electronically image, *i.e.*, "scan," a paper exhibit and submit the exhibit as a PDF file. To be accepted by CM/ECF, files will need to be segmented into individual files no larger than two megabytes each (see Section I.C., Technical Specifications).
2. For exhibits filed electronically, an exhibit list should be filed and each item on the list should be included as an attachment to the filing. If the exhibits are submitted as evidentiary materials for a motion that has been filed, they should be included, along with the list of exhibits, as attachments to the motion being filed.
3. Because scanned documents that are colored can potentially create very large files and can take much longer to upload in CM/ECF, filing parties must configure their scanners to scan documents **at 300 dpi in black and white** in order to minimize file size. However, color documents that may need to

appear in their original form for the record, such as color photographs, may be scanned in color before uploading to CM/ECF.

4. The filing party is required to verify the readability of scanned documents before filing them electronically with the court.

B. CONVENTIONAL FILING

1. A party may submit for conventional filing exhibits which are not available in electronic form or which are too lengthy to electronically image, *i.e.*, “scan.” However, the party must electronically file a Notice Regarding Exhibit Attachment (see sample Form C). Lengthy documents submitted to the Clerk’s Office in paper form should be bound with two or three-hole punches. The Clerk’s Office will note on the docket its receipt of the document(s) or exhibit(s) with a text-only entry.
2. An exhibit list along with the paper documents will be accepted for scanning and filing in the Clerk’s Office. If a motion related to the exhibits has been filed, it must be identified on the exhibit list.
3. Exhibits submitted conventionally shall be served on other parties conventionally.

C. TRIAL EXHIBITS

Exhibits presented for trials and other proceedings will not initially be filed electronically. Such documents will not be placed into the electronic filing system until the Court requires that they become a part of the official public record. Once they are admitted into evidence, the party submitting the exhibits may be asked to provide them to the court in electronic format if available. The court will then file them electronically or conventionally as appropriate.

VI. PUBLIC ACCESS

A. PUBLIC ACCESS AT THE COURT

Electronic access to the electronic docket and documents filed in CM/ECF is available for viewing to the public at no charge at the Clerk’s Office during regular business hours. A copy fee for an electronic reproduction is required in accordance with 28 U.S.C. § 1914.

B. INTERNET ACCESS

Remote electronic access to CM/ECF for viewing purposes is limited to subscribers to the Public Access to Court Electronic Records (“PACER”) system. The Judicial Conference of the United States has ruled that a user fee will be charged for remotely accessing certain detailed case information. Information regarding current fees and billing for PACER access are posted at <http://pacer.psc.uscourts.gov>

C. CONVENTIONAL COPIES AND CERTIFIED COPIES

Conventional copies and certified copies of electronically filed documents may be purchased at the Clerk’s Office. The fee for copying and certifying will be in accordance with 28 U.S.C. § 1914.

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA**

Plaintiff(s))	
)	Case No.
)	
)	
vs)	
)	
)	
Defendant(s))	
)	

CERTIFICATE OF SERVICE

_____ I hereby certify that on **<date>**, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: _____.

I also certify that I have mailed by United States Postal Service the document and a copy of the Notice of Electronic Filing to the following non-CM/ECF participants: _____.

Respectfully submitted,

s/[Name of Password Registrant]
Name of Password Registrant
Address
City, State, Zip Code
Phone: (xxx) xxx-xxxx
Fax: (xxx) xxx-xxxx
E-mail: xxx@xxx.xxx
[attorney bar number, if applicable]

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA**

Plaintiff(s))	Case No.
)	
vs)	
)	
Defendant(s))	
)	

NOTICE OF MANUAL FILING *(See note below*)*

Please take notice that **[Plaintiff/Defendant, Name of Party]** has manually filed the following document or thing **[Title of Document or Thing]**. This document has not been filed electronically because **[Enter Reason for Manual Filing]**. The document or thing has been manually served on all parties.

Respectfully submitted,

s/[Name of Password Registrant]
Name of Password Registrant
Address
City, State, Zip Code
Phone: (xxx) xxx-xxxx
Fax: (xxx) xxx-xxxx
E-mail: xxx@xxx.xxx
[attorney bar number, if applicable]

***Note:** *This document should not be e-filed; it is to be used only when filing an entire pleading in paper with the Clerk's Office; it should be completed and attached on top of the pleading. For pleadings that are e-filed but attachments to those pleadings need to be filed in paper due to volume/ not scannable/other, a Notice Regarding Exhibit Attachment (Form C - Page 19) should be e-filed along with the pleading as notice the exhibit/attachment is on file in paper form only with the Clerk's Office.*

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA**

Plaintiff(s))	
)	Case No.
)	
)	
vs)	
)	
)	
Defendant(s))	
)	

NOTICE REGARDING EXHIBIT ATTACHMENT *(See note below*)*

Exhibit _____ which is an attachment to _____
is in paper form only and is being maintained in the case file in the Clerk's Office.

Respectfully submitted,

s/[Name of Password Registrant]
Name of Password Registrant
Address
City, State, Zip Code
Phone: (xxx) xxx-xxxx
Fax: (xxx) xxx-xxxx
E-mail: xxx@xxx.xxx
[attorney bar number, if applicable]

****Note: This document should be completed and e-filed along with the pleading to indicate that exhibit attachment had to be filed in paper with the Clerk's Office due to volume/not scannable/other. A Notice of Manual Filing (Form B- Page 18) should not be used for this purpose.***

CM/ECF UTILITIES OPTIONS

I. MAINTAINING YOUR CM/ECF ACCOUNT

The Utilities feature in CM/ECF provides the capability to update the following information in your account profile:

- ▶ Physical address, telephone number, FAX number
- ▶ Primary e-mail address and other e-mail addresses to receive notice
- ▶ Cases for which notice is to be received
- ▶ Frequency of notices to be received (e.g. for each filing or a daily summary)

To use this feature, click on the Maintain Your Account hyperlink under the Utilities option to open the Maintain User Account information screen.

This screen displays all of the registration information that is contained in CM/ECF for your account including your Bar Identification Number. **YOU WILL BE RESPONSIBLE FOR CHANGING INFORMATION ON THIS SCREEN AS NECESSARY.** From this screen, you can select options to update email information or change your login or password.

A. To update e-mail and noticing information:

- ▶ Click on the [E-mail information] button.
- ▶ CM/ECF will e-mail to parties a Notice of Electronic Filing based upon the information entered on this screen. Perform the following steps to enter additional e-mail addresses for individuals that you want CM/ECF to notify regarding new case pleadings and other documents.
- ▶ Enter a check mark by clicking on the box to the left of the line, which reads "to these additional addresses".
- ▶ Enter the e-mail addresses of those individuals you wish to notify concerning CM/ECF activity. This data entry field has a capacity of 250 characters for approximately ten e-mail addresses.
- ▶ The system defaults to the option for "Send notices for cases in which I am involved". However, you may want to receive notice on other cases as well but are not an attorney of record. To do this, click on "Send notice in these additional cases". In the box to the right of this, enter the case numbers each on a separate line using the format YY#### (ex. 97-1234).

- ▶ You should also select the type of notice you would like to receive. The default is “Send a notice for each filing” which tells the system to send a notice to you immediately after each filing. To get a daily summary of notices you are to receive, select “Send a Daily Summary Report” which will be sent at the end of day (usually right after midnight).
- ▶ Under Format notices, leave the format of the notice as “html format for Netscape or ISP e-mail service” unless you experience problems with the formatting of notices.
- ▶ If you wish to enter completely new information about your account, use the [Clear] button to clear the fields on this screen.
- ▶ After updating your account information, click on the [Return to Account screen] button to return to the Maintain User Account screen.
- ▶ Click on the [Submit] button to submit the changes. You will receive a confirmation screen listing the cases and e-mails options you have selected.

B. To edit or view login/password information about your account:

- ▶ Click on the button labeled [More user information] from the Maintain User Account screen.
- ▶ The next screen displays user login/password information and provides the means to change your CM/ECF login and password. To change your login or password, type in the new information in the block(s) provided and click on the [Return to Account screen] button to return to the Maintain User Account screen.
- ▶ When you are satisfied that all of your account information is accurate and up-to-date, click on the [Submit] button at the bottom of the Maintain User Account screen to submit your changes. You may begin using the login and/or password when you next login to CM/ECF.

II. VIEWING YOUR TRANSACTION LOG

This feature allows you to review your transactions in CM/ECF and verify that all of the transactions you entered are reflected in the Transaction Log and that no unauthorized individuals have entered transactions into the system using your login name and password.

- ▶ From the Utilities screen, click on the [View your Transaction Log] button.

- ▶ A screen appears with two fields for entering the Date Selection Criteria for a Transaction Log Report. Enter the date range for your report and click on the [Submit] button.
- ▶ The system will display a report of all your transactions within the date range you specified for Date Selection Criteria.